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Attorneys for Defendants
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 PINNACLE RESEARCH INSTITUTE, INC.,
 and K.C. TSAI

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

E-FILED - 6/15/05

NATIONAL ENERGY TECHNOLOGY
 CO., LTD.,

Plaintiff,

vs.

APOGEE TECHNOLOGIES, INC.,

Defendant.

Case No. C 03-05807 RMW (PVT)

STIPULATION AND ~~PROPOSED~~ ORDER
 TO SUSPEND LAWSUITS FOR FORTY-
 FIVE DAYS

NATIONAL ENERGY TECHNOLOGY
 CO., LTD.,

Plaintiff,

vs.

PINNACLE RESEARCH INSTITUTE,
 INC. and K.C. TSAI,

Defendants.

Case No. C 03-05714 RMW (PVT)

1 WHEREAS, as the Court is aware, the parties in these related lawsuits very actively have
2 been discussing the global resolution of these matters short of trial, and have been doing so since
3 Fall 2004, after a series of settlement conferences before Magistrate Judge Trumbull;

4 WHEREAS, in March and early April 2005, the parties were able to discuss and reach an
5 agreement concerning the general terms of a potential business resolution of these matters, the
6 documentation surrounding which was expected to be considerable;

7 WHEREAS, in view of the above expected business resolution and settlement of these
8 lawsuits, in April 2005, the Court continued the trials in these lawsuits until dates in August 2005,
9 and continued the lawsuit pretrial deadlines and open discovery deadlines;

10 WHEREAS, the parties have worked diligently and continually since that time to settle
11 these disputes so that the lawsuits may be dismissed, but the complex business nature of the
12 proposed resolution--considerably more complex than originally envisioned--and the international
13 nature both of the parties and of the resolution, as well as the complex documentation that is
14 needed (involving numerous business agreements for both present and future business issues, and
15 the use of escrow services), in addition to the need to involve further parties for the execution of
16 the business resolution, has been such that while the parties had expected to have completed the
17 needed documentation by this time, it has not proven possible to complete certain last needed
18 documentation and to obtain the execution of the documents by the numerous required parties,
19 although the preparation of the documentation is near completion;

20 WHEREAS, the parties estimate that forty-five more days will be needed for the
21 completion of the documentation and for the ratification and execution processes and, in fact,
22 have imposed a July 31, 2005 deadline for this;

23 WHEREAS, the parties face numerous close-of-discovery, pretrial and trial deadlines in
24 these two lawsuits, predicate to August 2005 trials, for which purpose the parties propose, in the
25 face of these pressures, that the lawsuits be placed in suspense for a period of forty-five days, by
26 which time the parties' settlement and business resolution shall have been ratified;

27 WHEREAS, the Court currently has under submission the summary judgment motion of
28 National Energy Technology Co., Ltd. in the National Energy Technology Co., Ltd. v. Apogee

Technologies, Inc. lawsuit, oral argument on the motion having occurred on March 25, 2005; and

WHEREAS, the parties believe that the interests of judicial economy, of the economy of the parties, and of justice would best be served by the requested forty-five day suspension so as to allow the parties time to finalize the resolution and settlement of these matters;

IT HEREBY IS STIPULATED that:

1. These lawsuits are suspended for a period of forty-five days, so that above-described business resolution and settlement may occur.

2. The Court will defer ruling on the pending summary judgment motion of National Energy Technology Co., Ltd. in the National Energy Technology Co., Ltd. v. Apogee Technologies, Inc. lawsuit.

3. Should the parties' expected business resolution and settlement not occur, the parties will so notify the Court at the earliest possible moment, so that the Court may order a Court status conference in the two lawsuits, at which the Court will reschedule these lawsuits for a ruling on the outstanding motion, the completion of any remaining discovery, the completion of pretrial events, and trial.

Respectfully submitted,

Dated: June 15, 2005

SQUIRE, SANDERS & DEMPSEY L.L.P.

By:

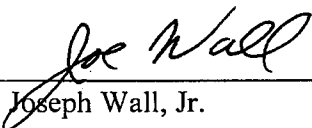

Michael E. Sobel

Attorneys for Plaintiff
NATIONAL ENERGY TECHNOLOGY CO.,
LTD.

Dated: June 15, 2005

KORDA, JOHNSON & WALL

By:


J. Joseph Wall, Jr.

Attorneys for Defendants
APOGEE TECHNOLOGIES, INC.,
PINNACLE RESEARCH INSTITUTE, INC.
and K.C. TSAI

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 15, 2005

/S/ RONALD M. WHYTE

UNITED STATES DISTRICT JUDGE

The Pretrial Conference is vacated and a Status Conference is set for
July 29, 2005 @ 10:30 am. (jg)